

**DECLARATION (37 CFR § 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR § 1.76) WITH POWER OF ATTORNEY**

Title of Invention: **COMPOSITIONS AND METHODS FOR THE MODULATION OF GENE  
EXPRESSION IN PLANTS**

As the below named inventors, we declare that:  
This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/623,930, filed on 07/21/03,  
☐ as amended on \_\_\_\_ (if applicable);

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

**Customer Number 00826**

Direct telephone calls to:

David M. Saravitz  
Registration No. 55,593  
Tel Raleigh Office (919) 862-2200  
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FULL NAME OF INVENTOR(S)

Inventor one: Vicki Bowman Vance

Citizen of: US

Signature: Vicki Bowman Vance Date Signed: 4/21/04

Inventor two: Lewis Howard <sup>2KB</sup> ~~Vance~~ Bowman

Citizen of: US

Signature: Lewis H. Bowman Date Signed: 4/21/04

Inventor three: Allison Mallory

Citizen of: US

Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

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Citizen of: US

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

Inventor two: Lewis Howard Vance

Citizen of: US

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

Inventor three: Allison Mallory

Citizen of: US

Signature: AMallory

Date Signed: 4-21-04